

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

FISHER SAND & GRAVEL, CO.
d/b/a/ SOUTHWEST ASPHALT PAVING and
FISHER SAND & GRAVEL – NEW MEXICO, INC.,

Plaintiff,

v.

Case No. 1:10-cv-00635-RB-SMV


FNF CONSTRUCTION, INC., *et al.*,

Defendants.

**ORDER DENYING FISHER’S OPPOSED MOTION TO REQUEST A RULING ON
THE REBUTTAL EXPERT DISCLOSURE DEADLINE OR, IN THE ALTERNATIVE,
TO EXTEND THE REBUTTAL EXPERT DISCLOSURE DEADLINE**

THIS MATTER came before the Court on Fisher’s Opposed Motion to Request a Ruling on the Rebuttal Expert Disclosure Deadline, or in the Alternative, to Extend the Rebuttal Expert Disclosure Deadline [Doc. No. 384], and the Court, having reviewed the briefs and papers submitted by the parties, heard oral argument, and having been advised that Plaintiffs do not intend to disclose any additional rebuttal experts, hereby finds that Plaintiffs’ Motion is moot.

It is therefore ORDERED that the Motion is DENIED as moot. This Order is without prejudice as to Defendants’ right to seek other relief related to Plaintiffs’ disclosure of rebuttal experts.



STEPHAN M. VIDMAR
United States Magistrate Judge

Submitted By:

PEIFER, HANSON & MULLINS, P.A.

By: /s/ Lauren Keefe

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By: Electronic approval on February 27, 2014

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